

REMARKS

Claims 3-8, 11-21, 24, 26, and 28 are pending in the application.

Claims 3, 11, and 17-21 are withdrawn.

Claims 4-8, 12-16, 24, 26, and 28 have been rejected.

Claims 5, 13, 24, 26, and 28 have been amended. Support for the amendments can be found in at least paragraphs [0013]-[0021] and [0036] of the present Specification.

Claim 29 has been added. Support for the newly-added claim can be found in at least paragraphs [0031]-[0032] and FIG. 3-4 of the present Specification.

Applicants thank the Examiner for extending the courtesy of a telephonic interview held on October 15, 2009 and a follow-up telephonic interview held on October 26, 2009

Required Information Under 37 CFR 1.105

Page 2 of the Final Office Action requests information under 37 CFR 1.105 regarding a selection of IDS references. Specifically, page 2 of the Final Office Action inquires:

- a. While of the cited IDS references are reasonably pertinent to the subject matter of the referenced application and if so, in what way?
- b. Is the applicant aware of any other related (common inventor or ownership) patent applications or patents from which the applicant is providing references either cited by the examiner or derived from the search related to those other patents? If so, please provide the application numbers.

a. Reference # 6 (Patent 5,742,588) was cited as a reference by an Examiner for Application 10/809,927.

Reference # 38 (Patent Publication 2002/0085020) was cited as a reference by an Examiner for Application 10/696,156.

Reference # 40 (Patent Publication 2002/0138532) was cited as a reference by an Examiner for Application 10/696,156.

Reference # 45 (Patent Publication 2002/0184148) was cited as a reference by an Examiner for Application 10/696,156.

Reference # 57 (Patent Publication 2007/0203710) was cited as a reference by an Examiner for Application 10/696,156.

Reference # 63 (Patent Publication 2007/0226049) was cited as a reference by an Examiner for Application 10/696,156.

b. Applicant is aware of the following related (common inventor or ownership) patent applications or patents from which the Applicant is providing references either cited by the examiner or derived from the search related to those other patents. The application numbers of the abovementioned applications or patents are as follows:

Applications:

10/751,011

10/696,156

10/696,371

10/696,097

10/809,943

10/809,927

10,751,008

11/441,493

10/851,306

10/688,425

10/688,094

Patent:

7,287,041

Rejection of Claims under 35 U.S.C. § 103

Claims 4-8, 12-16, 24, 26 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rappoport, U.S. Patent No. 6,828,963 (Rappoport) in view of Arai et al., U.S. Publication No. 2003/0097642 A1 (Arai) and Walsh et al., U.S. Publication No. 2005/0197880 A1 (Walsh). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully disagree and traverse the rejection as follows. Applicants reserve the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Applicants respectfully submit that nothing in the cited passages of Rappoport, Arai, and Walsh, taken alone or in any permissible combination, discloses, teaches, or suggests the limitations of amended independent Claims 24, 26, and 28. As discussed during the telephonic interview of October 26, 2009, the Examiner asserted that Rappoport, Arai, and Walsh, taken alone or in any permissible combination, do not disclose, teach, or suggest amended independent Claims 24, 26, and 28. Thus, Applicants assert that amended independent Claims 24, 26, and 28,

and all claims dependent therefrom, are patentable over the cited passages of Rappoport, Arai, and Walsh, taken alone or in any permissible combination. Applicants therefore request that the rejection be withdrawn.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,



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